

FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH

AUG 17 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

BY

GARY P. SERDAR
CLERK OF COURT

DEPUTY CLERK

BUREAU OF CONSUMER FINANCIAL
PROTECTION,

Plaintiff,

v.

PROGREXION MARKETING, INC., *et al.*,

Defendants.

Case No. 2:19-cv-00298-BSJ

ORDER

On August 9 and 10, 2022, the Court held in-person hearings on various pending motions, including Plaintiff's Motion to Exclude the Expert Report and Testimony of John Ulzheimer (ECF No. 222), Defendants' Motion to Exclude the Expert Testimony of Allen Weinberg (ECF No. 360), Plaintiff's Motion to Exclude Expert Testimony of Stephen Mott (ECF No. 368), and Plaintiff's Motion to Exclude Testimony of Defendants' Proffered Expert Victor Stango (ECF No. 373).

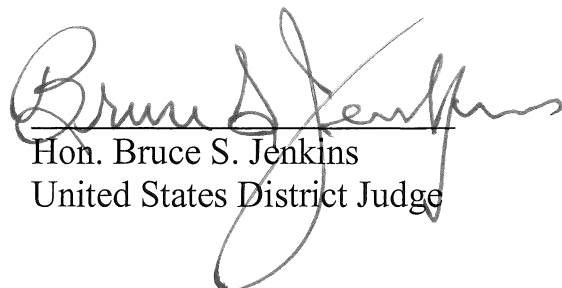
Defendants have withdrawn John Ulzheimer and are no longer proffering his testimony in this case. Therefore, Plaintiff's motion to exclude Mr. Ulzheimer (ECF No. 222) is DENIED AS MOOT.

Because his testimony will not help the trier of fact to understand the evidence or to determine a fact in issue, and on consideration of the entire record, the Court GRANTS Defendants' Motion to Exclude the Expert Testimony of Allen Weinberg (ECF No. 360). Mr. Weinberg is hereby excluded from offering expert testimony at trial.

In light of the Court's exclusion of Mr. Weinberg, Defendants have withdrawn Stephen Mott, who was offered only to rebut Mr. Weinberg. Therefore, Plaintiff's motion to exclude Mr. Mott (ECF No. 368) is DENIED AS MOOT.

Because his testimony will not help the trier of fact to understand the evidence or to determine a fact in issue, and on consideration of the entire record, the Court GRANTS Plaintiff's Motion to Exclude Testimony of Defendants' Proffered Expert Victor Stango (ECF No. 373). Dr. Stango is hereby excluded from offering expert testimony at trial.

8/16/22
Dated


Hon. Bruce S. Jenkins
United States District Judge